

#4

15JG

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Name and address of Plaintiff:
Warren Fahey, LP0255, S.C.I.
Greene, 175 Progress Drive.,
Waynesburg, Pa. 15370

v.

Full name, title, and business address
of each defendant in this action:

S.C.I., Greene, Mental Health Dept.,
Grievance Dept., 169 Progress Drive,
Waynesbrg, Pa. 15370 Parole Dept.,
Superintendent D. Alandro

2

Use additional sheets, if necessary
Number each defendant.

RECEIVED

MAR 31 2015

CLERK, U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

15-0431

Plaintiff brings this action against the above named and identified defendants on the following cause of action:

I. Where are you now confined? State Correctional Institution Greene

What sentence are you serving? 20 Month R.R.R.I., 27 To 54 Month

What court imposed the sentence? Erie County Court Of Common Pleas

II. Previous Lawsuits

A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs None , N/A

Defendants None , N/A

2. Court (if federal court, name the district; if state court, name the county) and docket number
Erie County Common Pleas Court # 3008 & 3009 of 13, 181-13

3. Name of judge to whom case was assigned Judge Ernest Disantis
4. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)
In appeal Process.

5. Approximate date of filing lawsuit None N/aA

6. Approximate date of disposition N/A

B. Prior disciplinary proceedings which deal with the same facts involved in this action:

Where? Medical/Mental Observation Confinement, R.H.U.

When? R.H.U. 11-5-14, 1-11-15

Result: Both released back into general population.

III. What federal law do you claim was violated? Due Process, Medical Malpractice

Declaration of Human Rights; Article 3; Everyone has the

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

A. Date of event: About 9-27-14 first tals with sacks, 10-7-14
2nd talks with Sacks & sent to Med. Observation, 11-5-14
Education Building pulled out of Library Sent to R.H.U. 3-18-15 Parole
B. Place of event: Sargents Office S.C.I. Greene E-Unit, Education
Building Program Services Room, Parole Dept. Interview Room

C. Persons involved--name each person and tell what that person did to you: Psychology Dr. David Sacks spoke with me around 9-27-14

14. When he did he threatened to give me misconduct if I do any my symptoms from my mental disorde I claim I have. He basis his claim on the report from S.C.I. Camp Hill, which says I said I'm not hearing voices, how it says that i haven't the faintest idea. I told the Psych At Camp Hill It hasn't bothered me in a week to week and a half I don't want to talk about it it's up-setting bothersome. Sacks Says I'm a liar why should he believe anthing i say I'm A career criminal. I filed A grievance to TRacey Shawley asking Sacks be taken off my Case in it's entirety. It was denied. The matter with Sacks was made known to Deputy Superintendent Saken him and P.R.C. Recommened I be reviewed by the S.N.U. Psych for placement on S.N.U. when I was

III. What Federal Law do you claim was violated? Continued;

right to life Liberty and SEcurity of person.; Article 9, No one shall be subject to arbitrary arrest, detention or exile.; Article 5, No one shall be subject to torture or to cruel, inhumane or degrading treatment or punishment.; Article 25 (1) Everyone has the right to a standard of living adequate for health and well and well being of himself and of his family, including food, clothing, housingand medical care. Bill Of Rights Constitutional AmendmentIV, The right of the people to be secure in their persons, papers, and effects, against unreasonable searches and seizures, shall not be violated. Amendment 5, Nor be deprived of life, liberty, or property without due process of Law. Amendment 14, SEction 1., Nor shall any state deprive any person of life, liberty, or property, without due process of Law; nor deny to any person within it's jurisdiction the equal protection of the laws.

IV. Statement of claim, Continued; Page 1

released from Med. Observation. The S.N.U. Psych. did not recommend me for S.N.U. placement, obviously working in conjunction with Dr. Sacks, whom, of which, I've been told by a few different inmates Sacks has no Psychlogy, Psycholigist Lisense. After fileing the Grievance to Shawley the grievance coordinator I followed procedure and filed grievances to Facility Manager, and Chief SEcretary's Office of Inmate Grievances, all of which were denied. In the mix of this The first grievance to grievance coordinator it was not returned to me in a timely manner and Superintendent diAlsandro replied to the Grievance after grievance coordinators review/reply but i did not recieve grievance coordinators reply till after I recieved the reply from DiAlsandro the Facility Manager. I as well filed A seperate grievance concerning the same matter Steming from a seperate incident being the second talks with Sacks and sent to Med. Observation in hopes as it was a seperate incident though the same matter it would be resolved as it was not the first grievance I filed. I do have and have attached exhibits of all the grievance and facility grievance coordinators / personels response.Mr. Sacks actions and the all named herein denying me my requested relief of Sacks taken off my **case** in it's entirety **completly** a seperation

IV. Statement of Claim, Continued; Page 2

on Mr. Sacks for makeing the threats to write me up / give me misconducts take my R.R.R.I. Max me out, being the Grievance Department Mental Health Department Deputy Superintendent Saken & Superintendent DiAlsandro not Granting me seperation from Sacks him to not talk to me at alll concerning my mental disability of Paranoid Schitzophrenic so he could not give me a misconduct hasresulted in me being sent to R.H.U. for 72 days not includeing the 3 or 4 days i had to wait for bed space it also has jepordized my R.R.R.I. being my early parole release date of 7-15-15 this year. From which the incident of me being threatened by Sacke to write me up¹/₂ give me a misconduct I grieved it mental health knew of it and the grievance cooordinator & Deputy Superintendent & Superintendent and they did nothing to prevent it are violationd which put my life and liberty at risk placement in R.H.U. and risk of not getting granted my early relase date good time parole date recommended by the court. I as well haven't gotten my decision from the Chief Secretaries Office Of Inmate Grievances. I don't know if it was intervened by or held up in the mailroom. I feel I should've gotten in back by now.As well, a correctional Officer here at S.C.I. Greene, being C.O. Teberi told me Sacks has a couple people he messes with does that type of stuff to. If she'll give that same truth to the court or not I don't know. I'd like to have a statemnet from her supeonaed or her supeonaed to give testimony as to Sacks does have a few people he messes with does that type of stuff to. Further as to and in support of my type of relief section that I'm seeking I'd like to present the aforementioned and the following. The misconduct as to the evidence I mistakenly did not present at the hearing and the first level of appeal, as toa misunderstanding of the hearing examiner questioning me as to abusive , obscene language, we were not discussing the incident with Sacks at that time at least to my understanding, and I said," I'm liable to saying anything ". I thought the hearing examiner was regardingto my mental disorder of Paranoid Schizophrenic, of which when it really troubles bothers upsets me, I do use rash heavy profanity. Further being this is a matter of life liberty interest being I could lose my early release R.R.R.I. as to I got a misconduct the good time

IV. Statement of Claim continued; Page 3

recommended given by the sentencing court could be taken and/or revoked, I feel believe the matter of me looseing my early release parole for that reason , being a life liberty interest something should be done concering the misconduct as to possibly the parole board not to consider it, the misconduct refered back to rehearing or the Office of Chief Hearing Examiner recommended it be dismissed as to you and the courts know as weel that inmates are at times miss treated by prison staff officals in one way or the other. As a result at my parole hearing on 3-18-15 the Parole agent Mrs. King deined my right to Parole based on the incident of Mr. Sacks writeing my of Which were all lies.

- V. Did the incident of which you complain occur in an institution or place of custody in this District?

If so, where?

Yes! State Correction Institution Greene, 175 Progress
Drive, Waynesburg, Pa. 15370

and answer the following questions:

- A. Is there a prisoner grievance procedure in this institution?

Yes (☒) No ()

- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes (☒) No ()

- C. If your answer is YES,

1. What steps did you take? Grievance to Mrs. Shawley the institutions
Grievance Coordinator and to Facility Manager and Chief
Secretaries Office of Inmate Grievances, Made known to
2. What was the result? Denied all Grievances at S.C.I. Greene I
haven't recieved my anwser from Cheif Office Of Grievance

- D. If your answer is NO, explain why not: N/A

- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?

Yes () No () Not Applicable N/A

- F. If your answer is YES,

1. What steps did you take? N/A

2. What was the result? N/A

- VI. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no
cases or statues.

Monetary Judgement for False Imprisonment of \$1500 a day
for 72 days of R.H.U. confinement as to the emotional
and mental stress anguish from Sacks actions and the
R.H.U. Placement / Confinement and the prison officials
not doing anything to prevent me getting misconduct from
Sacks after I filed Grievances and first the Deputy

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
CORRECT.

VI. Relief, Continued;

Superintendent was notified when Sacks sent me Med. Observation. As well, Injunction for same and that presented in IV. Statement Of Claim, the Injunction relief being; Mr. Sacks Off my case in it's entirety No talks discussions with me for treatment or my mental health status how my mental is doing etc. no talks with me concerning any matters of any for any mental health reasons and / or reviews, and the seperation on Sacks and transfered to another prison hopefully, of which would be closer to my home area, as in a incident of this nature, other staff of the institution could get upset, as to their his friend and / or co-worker, and try to cause me more troubles problems, as well as Sacks would ,being his threats, and the law suit it's self the other staff and / or Mr. Sacks. Remand to Parole to release me as for Sacks illegal and wrongdoing which presents a life liberty interest as to me at a lose of my freedom for Sacks illegal actions.

V. (c) (1) Continued; Deputy Superintendent, In general the staff here at S.C.I. Greene did not properly perform duties. Deputy Superintendent Notified at Med. Observation the head of Mental Health Dept. I sent A request to Grievance coordinator and Facility Manager.

3-18-2015
(Date)

Warren Taley Jr.
(Signature of Plaintiff)